



City Clerk

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www.burlington-wi.gov

**CITY OF BURLINGTON
Common Council Minutes
Jeannie Hefty, Mayor
Diahnn Halbach, City Clerk
Tuesday, January 16, 2018**

1. **Call to Order / Roll Call**

Mayor Hefty called the meeting of the Common Council to Order on Tuesday, January 16, 2018 at 7:57 p.m. starting with Roll Call. Present: Kott, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker, Bauman. Excused: None.

Student Representatives Present: Gabriel King, Jack Schoepke. Excused: None.

Also present: City Administrator Carina Walters, City Attorney John Bjelajac, Director of Administrative Services Megan Watkins, Director of Finance Steve DeQuaker, Lt. Brian Zmudzinski, Building Inspector Gregory Guidry, and DPW Director Peter Riggs. Also in attendance: Gregory Governatori, Kapur and Associates.

2. **Pledge of Allegiance**

3. **Citizen Comments** - There were none.

4. **Chamber of Commerce Representative and Rescue Squad Representative** - There were none.

5. **Approval of Minutes**

A motion was made by Alderman Vos with a second by Alderman Grandi to approve the December 19, 2017 Common Council minutes. With all in favor, the motion carried.

6. **Letters and Communications** - There were none.

7. **Reports by Aldermanic Representatives and Department Heads**

Walters clarified a statement made by Nestle's, confirming that the plant will continue with it's confectionary production for the time being and will provide updates as they're received.

8. **Reports 1-4**

A motion was made by Alderman Schultz with a second by Alderman Kott to approve Reports 1-4 as presented. With all in favor, the motion carried.

9. **Payment of Prepays and Vouchers**

A motion was made by Alderman Preusker with a second by Alderman Johnson to approve prepays and vouchers as presented. Roll Call: Aye - Preusker, Bauman, Kott, Johnson, Grandi, Dawidziak, Vos, Schultz. Nay - None. Motion carried 8-0.

10. **Licenses and Permits**

- A. Revocation of a "Class B" Liquor License issued to MK Allen, LLC (dba The Burly Duck) for property located at 488 Milwaukee Avenue, Burlington, Wisconsin.

A motion was made by Alderman Bauman with a second by Alderman Dawidziak to revoke the "Class B" Liquor License from MK Allen, LLC (dba the Burly Duck). Roll Call: Aye - Bauman, Kott, Johnson, Grandi, Dawidziak, Vos, Schultz, Preusker. Nay - None. The motion carried 8-0.

- B. Approval of Licenses and Permits as presented.

A motion was made by Alderman Bauman with a second by Alderman Preusker to approve the Licenses and Permits as presented. With all in favor, the motion carried.

11. **Appointments and Nominations**

A. A motion was made by Alderman Kott with a second by Alderman Johnson to approve Walter "Chip" Bahr to the Library Board to replace Jake Hansen, for a term to expire on May 1, 2020. With all in favor, the motion carried.

B. A motion was made by Alderman Kott with a second by Alderman Bauman to approve Allyson Doerflinger as an election inspector for the period from January 1, 2018 to December 31, 2019. With all in favor, the motion carried.

C. A motion was made by Alderman Kott with a second by Alderman Johnson to approve Margaret Epping as an election inspector for the period from January 1, 2018 to December 31, 2019. With all in favor, the motion carried.

12. **PUBLIC HEARINGS:**

At 8:11 p.m. Mayor Hefty announced a Public Hearing to hear comments and concerns from the public regarding a Rezone Map Amendment request for property located at 100 S. Dodge Street and 124 S. Dodge Street from B-1 District and M-1 District to B-2 District.

There were no comments.

A motion was made by Alderman Johnson with a second by Alderman Preusker to close the Public Hearing. With all in favor, the Public Hearing closed at 8:11 p.m.

13. **RESOLUTIONS:**

- A. **Resolution 4875(33)** - to consider approving a Letter of Engagement from Sitzberger for 2017 Audit Services.

A motion was made by Alderman Grandi with a second by Alderman Dawidziak to approve Resolution 4875(33). Roll Call: Aye - Grandi, Dawidziak, Vos, Schultz, Preusker, Bauman, Kott, Johnson. Nay - None. The motion carried 8-0.

- B. **Resolution 4876(34)** - to consider approving the award of bid for 10 Electronic Control Devices, 20 holsters, and a 5-year supply of training and duty cartridges and batteries for the City of Burlington Police Department to Axon Enterprise, Inc. in the amount of \$21,432.36.

A motion was made by Alderman Dawidziak with a second by Alderman Kott to approve Resolution 4876(34). Roll Call: Aye - Dawidziak, Vos, Schultz, Preusker, Bauman, Kott, Johnson, Grandi. Nay - None. The motion carried 8-0.

14. **ORDINANCES:** There were none.

15. **MOTIONS:** There were none.

16. **ADJOURN INTO CLOSED SESSION**

A motion was made by Alderman Vos with a second by Alderman Kott to adjourn into Closed Session. Roll Call: Aye - Vos, Schultz, Preusker, Bauman, Kott, Johnson, Grandi, Dawidziak. Nay - None. The motion carried 8-0. Mayor Hefty adjourned into Closed Session at 8:15 p.m.

Wis. Stats 19.85(1)(e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session.

- Contract negotiation regarding a Lease Agreement between the City of Burlington and the Senior Center.

Wis. Stats 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- Regarding KSM Development, LLC and Serena Hulbert for property located at 1332 S. Pine Street.

Wis. Stats 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

- Review and consideration of the City Administrator's contract with the City of Burlington.

17. **RECONVENE INTO OPEN SESSION**

A motion was made by Alderman Schultz with a second by Alderman Dawidziak to Reconvene into Open Session. With all in favor the meeting reconvened into open session at 10:23 p.m.

18. **ACT ON ITEMS FROM CLOSED SESSION IF NECESSARY**

- Consideration and possible action on recommendations for matters discussed in Closed Session by the Common Council.

Wis. Stats 19.85(1)(g) Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

- Regarding KSM Development, LLC and Serena Hulbert for property located at 1332 S. Pine Street.

A motion was made by Alderman Vos with a second by Alderman Preusker to authorize the City Attorney to file legal action in the Racine County Circuit Court to seek remediation for all violations existing at 1332 S. Pine Street, Burlington, Wisconsin. Roll Call: Aye - Vos, Preusker, Bauman, Kott, Johnson, Grandi, Dawidziak. Nay - Schultz. The motion carried 7-1.

There was no other action taken.

19. **ADJOURNMENT**

A motion was made by Alderman Dawidziak with a second by Alderman Preusker to adjourn. With all in favor, the meeting adjourned at 10:26 p.m.

Minutes respectfully submitted by:

Diahnn C. Halbach
City Clerk
City of Burlington